

Before the  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Monroe Post Office  
Monroe, Arkansas

Docket No. A2011-40

PUBLIC REPRESENTATIVE COMMENTS  
(September 12, 2011)

On August 3, 2011, the Commission received an appeal from Martha Pineda objecting to the closing of a post office in Monroe, Arkansas. The appeal was postmarked July 26, 2011.<sup>1</sup> On August 5, 2011, the Commission issued Order No. 794 accepting the appeal, directing the Postal Service to file the administrative record by August 18, 2011, establishing a procedural schedule, and naming the undersigned Public Representative.<sup>2</sup> On August 12, 2011, the Postal Service filed the Administrative Record.<sup>3</sup> To date, there have been no other filings from petitioner and no interventions. The Postal Service will serve Monroe via rural carrier.<sup>4</sup>

Petitioner makes the following assertions:<sup>5</sup>

- Closing the post office would devastate the community.
- The Postal Service did not advertise for a new postmaster.
- The Postal Service did not fully disclose the finances of the office.
- The Postal Service did not provide the property owner with an estimate of the cost to restore the property to its condition before the post office moved in.

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<sup>1</sup> Notice of Filing under 39 U.S.C. § 404(d), August 4, 2011.

<sup>2</sup> Notice and Order Accepting Appeal and Establishing Procedural Schedule, August 5, 2011.

<sup>3</sup> United States Postal Service Notice of Filing, August 12, 2011.

<sup>4</sup> Final Determination, Administrative Record (AR) at pdf page 128.

<sup>5</sup> Appeal on Behalf of the Monroe Post Office, August 3, 2011.

- The Postal Service did not notify the property owner in writing that the post office would be closing.
- The Postal Service did not estimate the extra cost of providing rural delivery service to the patrons of the Monroe post office.
- The Postal Service has not publicly disclosed the revenue loss of the office.
- The revenue of the post office had begun to increase until the Postal Service posted the notice of possible closing.

*Legal considerations.* Under 39 U.S.C. section 404(d)(2)(A), in making a determination on whether to close a post office, the Postal Service must consider the following factors: the effect on the community; whether a maximum degree of effective and regular postal service will be provided; the effect on postal employees; and the economic savings to the Postal Service. Some of the issues raised by petitioner fall under the categories of effect on the community and the economic savings to the Postal Service.

The Commission is empowered by section 404(d)(5) to set aside any determination, findings, and conclusions of the Postal Service that it finds to be: (A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law; (B) without observance of procedure required by law; or (C) unsupported by substantial evidence in the record. Should the Commission set aside any such determination, findings, or conclusions, it may remand the entire matter to the Postal Service for further consideration. Section 404(d)(5) does not, however, authorize the Commission to modify the Postal Service's determination by substituting its judgment for that of the Postal Service.

*Effect on the community.* Petitioner states that closing the Monroe post office will devastate the community. Several patrons made similar assertions when they returned questionnaires to the Postal Service and when they attended the public meeting. See AR at pdf pages 40, 73-75, 117, 127. Patrons were concerned about the security of mail in a roadside mailbox, and they did not want to drive 14 miles to pick up their mail from a post office box. However, the Postal Service considered these issues before making a final determination to close the Monroe post office. See AR at pdf pages 35, 40, 64-66, 77, 79-81.

*Economic savings.* Petitioner asserts that the Postal Service did not disclose the finances of the Monroe office and did not account for the extra cost of providing rural delivery service. It is true that the Postal Service did not account for any added mailboxes or distance for the rural carrier. AR at pdf page 26. However, based on the added cost estimated in administrative records of other closing appeals,<sup>6</sup> the provision of rural carrier service to patrons of the Monroe office will not significantly affect the economic savings.

The remaining allegations in Petitioner's appeal letter do not relate to factors that the Postal Service or the Commission considers when deciding to close a post office. Accordingly, the Commission should affirm the Postal Service's determination to close the Monroe, Arkansas, post office.

Respectfully submitted,

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<sup>6</sup> For example, the estimated cost of adding 20 boxes and 1.75 miles to a rural delivery route in Pilot Grove, Iowa, was \$2871.50 per year. Docket No. A2011-35, Administrative Record, August 11, 2011, item 17a.